

SHER TREMONTE LLP

May 30, 2024

**BY ECF**

Hon. Taryn A. Merkl  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Trooper 1 v. NYSP et al.*, 22-cv-893 (LDH) (TAM)**

Dear Judge Merkl:

We represent former Governor Andrew Cuomo in the above-referenced action. We write pursuant to the Court's January 16, 2024 Order, which set certain limitations on discovery in this proceeding, including that subpoenas for phone records are "prohibited without further leave." ECF 220.

Pursuant to this Order, we seek leave to serve two subpoenas for phone records. *First*, a subpoena to Verizon, which seeks non-content records (*i.e.*, subscriber information, service information, and call and text detail information) associated with three phone numbers issued by the New York State Police ("NYSP"). These numbers belonged to (i) Trooper 1, (ii) former NYSP PSU member Diane Parrotta, and (iii) former NYSP PSU member Fabricio Plaskocinski. *Second*, a subpoena to T-Mobile, which seeks non-content records associated with Mr. Plaskocinski's personal device.

We have conferred with counsel for parties NYSP and Trooper 1, and with counsel for Ms. Parrotta and Mr. Plaskocinski, all of whom have no objection to the subpoenas.

Accordingly, we respectfully request that the Court grant Governor Cuomo leave to serve these two additional phone record subpoenas.

Respectfully submitted,

/s/ Theresa Trzaskoma

Theresa Trzaskoma

cc: All Parties of Record  
Lisa F. Joslin, Esq. (by email)